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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/809,501

03/26/2004

Kazuhiro Oki

8012-1240

7886

466

7590

07/18/2007

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EXAMINER

PADGETT, MARIANNE L

ART UNIT

PAPER NUMBER

1762

MAIL DATE

DELIVERY MODE

07/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 1762

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-20, drawn to a method of drying a coated web moving in a vertical orientation under a high solvent vapor concentrations in an enclosed space with dependent claims directed to solvent recovery, classified in class 427, subclass 377+.
 - II. Claims 21-22, drawn to an apparatus for guiding a web to vertical then horizontal, in an enclosed space with dependent claim directed to downstream blow drying, classified in class 118, subclass 58+ (67).
 - III. Claims 23-37, drawn to a method of drying a coated substrate in an enclosed space employing having at most a 5°C temperature difference between entrance & exit of a drying device, which may be an infrared heater, classified in class 427, subclass 542.
 - IV. Claims 38-41, drawn to a drying device for a continuous substrate in an enclosed space capable of controlling the temperature difference between entrance & exit of the device to be at most 5°C, classified in class 118, subclass 58+ (61).
2. The inventions are independent or distinct, each from the other because:

Inventions group I and group II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus may be used for drying webs/continuous substrates that have no coating thereon, or webs that have solutions deposited thereon with other than organic solvents contained in the solution.

3. Inventions group III and group IV are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus may be

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used for drying webs/continuous substrates that have no coating thereon, or webs that have solutions deposited thereon with other than organic solvents contained in the solution.

4. Inventions groups I & II and groups III & IV are directed to related processes & apparatus. The related inventions are distinct if the (1) the inventions as claimed are either not capable of use together or can have a materially different design, mode of operation, function, or effect; (2) the inventions do not overlap in scope, i.e., are mutually exclusive; and (3) the inventions as claimed are not obvious variants. See MPEP § 806.05(j). In the instant case, the inventions as claimed are directed to distinct limitations of vertical transport & high vapor concentration in groups I & II which do not overlap with groups III & IV, while these latter groups are directed to limited heat differentials, which do not overlap with the former groups. Furthermore, the inventions as claimed do not encompass overlapping subject matter and there is nothing of record to show them to be obvious variants.

5. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art due to their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

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6. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

7. A telephone call was made to Robert patch on 7/11/2007 to request an oral election to the above restriction requirement, but did not result in an election being made.

The examiner was informed that the firm's policy was to require/request restriction requirements be mailed.

8. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marianne L. Padgett whose telephone number is (571) 272-1425. The examiner can normally be reached on M-F from about 8:30 a.m. to 4:30 p.m.

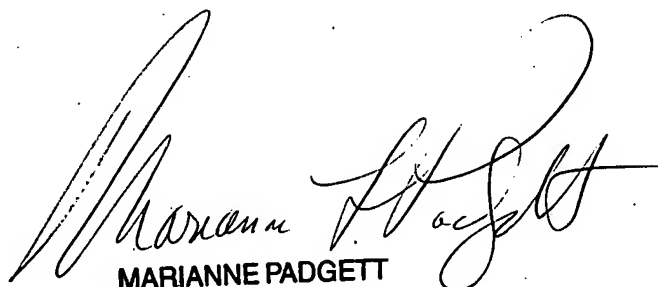
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks, can be reached at (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MLP/dictation software

7/11/2007



MARIANNE PADGETT
PRIMARY EXAMINER